

one year, in the performance of their work, and the certificate of the Governor shall authorize the Comptroller, at stated times to draw his warrant on the Treasurer for its payment.

SEC. 6. The difficulty of knowing what the law is, and where to find it in the great mass of accumulated session acts, and the constitutional authorization of a decennial revision, create an emergency and an imperative public necessity, requiring the suspension of the constitutional rules requiring bills to be read on three several days, and said rules are hereby suspended and that this act take effect from and after its passage and it is so enacted.

[NOTE.—The foregoing act originated in the senate and passed the same by a vote of 22 yeas and 1 nay; and passed the house by a vote of 79 yeas and 1 nay.]

[NOTE.—The foregoing act was presented to the Governor of Texas for his approval on the twenty third day of March, A. D. 1891, but was not signed by him nor returned to the house in which it originated with his objections thereto within the time prescribed by the constitution, and thereupon became a law without his signature.—GEO. W. SMITH, Secretary of State.]

PRIZE FIGHTING.

Sec.	Sec.
1. Pugilistic encounters prohibited; penalty.	4. Repealing clause; conviction or acquittal under this act no bar to prosecution under other provisions of Penal Code.
2. Term pugilistic encounter defined.	Emergency clause.
3. Second, stakeholder, etc., deemed a principal.	

CHAP. 50.—[S. H. B. No. 24-167.] An act to prohibit prize fighting and pugilism.

SECTION 1. Be it enacted by the Legislature of the State of Texas: That if any person who shall voluntarily engage in a pugilistic encounter between man and man, or fight between man and bull or between man and other animal, for money or other thing of value, or upon the result of which any money or anything of value is bet or wagered, or to see which any admission fee is charged either directly or indirectly, shall be deemed guilty of a felony and upon conviction shall be punished by a fine of not less than \$500 nor more than \$1000, and by punishment in the county jail not less than sixty days nor more than one year.

SEC. 2. By the term pugilistic encounter, as used in this act, is meant any voluntary fight or personal encounter by blows by means of the fists, whether with or without gloves, between two or more men for money, prize of any character or other thing of value, or upon the result of which any money or other thing of value is bet or wagered.

SEC. 3. Any person who shall act as second, stakeholder, counsellor or adviser, or who shall render aid of any such character for or to the principals or either of them in any such encounter, shall be deemed a principal in the offense, and shall be punished as prescribed in section one of this act.

SEC. 4. That all laws and parts of laws in conflict with this act be and the same are hereby repealed, provided that no conviction or acquittal under the provisions of this act shall be so construed as to prohibit a prosecution or conviction of such person, for the violation of any other provision of the penal code.

Whereas, there is now no law prohibiting prize fighting in this state,

and this offense is becoming of common practice, therefore, there exists a public and imperative necessity for the suspension of the constitutional rule requiring bills to be read on three several days in each house, be and the same is hereby suspended.

[NOTE.—The foregoing act was presented to the Governor of Texas for his approval on the twenty-third day of March, A. D. 1891, but was not signed by him nor returned to the house in which it originated with his objections thereto within the time prescribed by the constitution, and thereupon became a law without his signature.—GEO. W. SMITH, Secretary of State.]

"RAILROAD COMMISSION OF TEXAS."

- | | |
|---|---|
| <p>Sec. 1. Commission created; provides for three commissioners, how appointed, term of office, their qualifications, oath, salary.</p> <p>2. Organization; appointment of secretary, clerks and experts, and to fix their salaries; name "Railroad Commission of Texas;" seal; office in capitol, etc.; traveling expenses, how paid.</p> <p>(a.) May hold sessions at any place in State.</p> <p>3. Vests power in commission to adopt, regulate and enforce rates; duties of railway companies as to depots.</p> <p>(a.) Power to classify freight; (b.) to fix rates.</p> <p>(d.) May make different rates for express companies.</p> <p>(e.) and (f.) Joint rates for connecting lines.</p> <p>(g.) When partial or special classification may be made.</p> <p>(h.) Power to change classification and rates.</p> <p>(i.) May hear and determine complaints.</p> <p>(k.) May establish passenger rates.</p> <p>4. Notice to be given before establishment of rates; mode of procedure and powers of commission in such cases.</p> <p>5. Rates conclusive until set aside by direct action. (See Secs. 6 and 7.)</p> <p>6. When and where suit may be brought to hear complaint against commission; such action shall have precedence; right of appeal.</p> <p>7. Burden of proof rests upon plaintiff.</p> <p>8. Schedules of classification and rates to be furnished each railroad; railroads shall post same for public inspection.</p> <p>9. Complaint against railroads, how made and investigated; evidence therein when reduced to writing admissible upon trial of causes, when.</p> <p>10. The right to inspect books and papers of any railroad company, etc.; penalty for refusal to permit such inspection.</p> <p>11. Commission to ascertain cost of construction, equipment, etc., of railroads; bonds, indebtedness, etc.; amounts paid for salaries and wages; may employ experts; shall make report to Attorney General and Comptroller.</p> | <p>Sec. 12. Commission may propound questions to railroads to be answered under oath.</p> <p>(a.) Penalty for refusal to answer; may prescribe a system of bookkeeping.</p> <p>(b.) Shall make annual report to the Governor.</p> <p>(c.) Shall investigate all through freight rates; Interstate Commerce Commission to be notified, when.</p> <p>13. Power to summon and compel the attendance of witnesses; fees of witnesses; compensation of sheriffs.</p> <p>14. Extortion defined, and penalty therefor.</p> <p>15. Discrimination defined and prohibited.</p> <p>(c.) Commission may allow special rates for long hauls, when; may make group rates.</p> <p>(h.) Free transportation, when allowed.</p> <p>16. Punishment for false billing, classification, weight, etc.</p> <p>17. Liability of railroads to persons and corporations injured by violations of this act; additional penalty for extortion or discrimination; venue.</p> <p>18. Penalty where not otherwise provided.</p> <p>19. Penalties, how recovered; venue, attorney's fees, rules of evidence, fines payable into State treasury.</p> <p>20. Authorized copies of classifications, rates, etc., admissible in evidence.</p> <p>21. Duty of commission to enforce provisions of this act; all suits between the State and railroads to have precedence.</p> <p>(a.) Contracts between connecting railroads to be approved by the commission.</p> <p>22. "Road," "railroad," "railroad companies" and "railroad corporations" defined.</p> <p>(a.) Applies to transportation between points in this State only, and not to street railways, etc.</p> <p>(b.) At least one passenger train a day required, Sundays excepted.</p> <p>23. Penalties cumulative.</p> <p>24. Emergency clause.</p> |
|---|---|

CHAP. 51.—[H. S. S. H. B's. Nos. 1, 3, and 58.] An Act to establish a Railroad Commission for the State of Texas, whereby discrimination and extortion in railroad charges may be prevented, and reasonable freight and passenger tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the Commission and the railroads, and afford railroad companies and other parties adequate remedies; to prescribe penalties for the violation of this act and to provide means and rules for its enforcement.

SECTION 1. Be it enacted by the Legislature of the State of Texas: That a Railroad Commission is hereby created, to be composed of three persons to be appointed by the Governor, as follows: If the Legislature